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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

MÖCKEL et al.

Group Art Unit: 1652

Appln. No.: 09/715,035

Examiner: C. FRONDA

Filed: November 20, 2000

Title: NOVEL NUCLEOTIDE SEQUENCES ENCODING THE PFKA GENE

December 9, 2002

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AMENDMENT PURSUANT TO 37 C.F.R. § 1.111

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DEC 12 2002

TECH CENTER 1600/2900

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

This is in response to the official action dated September 9, 2002, wherein claims 21-24 and 27-30 were rejected under 35 U.S.C. §112, first paragraph. The applicants respectfully traverse in view of the following amendment and remarks.

I. AMENDMENT

Prior to further action on the merits, please amend the application as follows.

IN THE CLAIMS

Please amend claims 22-24 and 27 as follows.

22. (Twice Amended) An isolated polynucleotide consisting of a nucleotide sequence that is at least 80% identical to that of SEQ ID NO:1 encoding a protein with an amino acid sequence of SEQ ID NO:2 and wherein said protein has phosphofructokinase enzymatic activity.

23. (Twice Amended) An isolated polynucleotide consisting of a nucleotide sequence that is at least 90% identical to that of SEQ ID NO:1 encoding a protein with an amino acid sequence of SEQ ID NO:2 and wherein said protein has phosphofructokinase enzymatic activity.